

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF TENNESSEE**

IN RE:	:	CASE NO: 17-03699-MFH
HOWARD WAYNE FINCH,	:	
Debtor.	:	
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THE BANK OF NEW YORK MELLON	:	
F/K/A THE BANK OF NEW YORK, AS	:	
SUCCESSOR IN INTEREST TO	:	
JPMORGAN CHASE BANK, N.A., F/K/A	:	
BANK ONE, NATIONAL ASSOCIATION	:	
AS TRUSTEE FOR CENTEX HOME	:	
EQUITY LOAN TRUST 2002-A,	:	
Movant.	:	CONTESTED MATTER
vs.	:	
HOWARD WAYNE FINCH,	:	
HENRY EDWARD HILDEBRAND, III,	:	
Trustee	:	
Respondents.	:	

## **OBJECTION TO CONFIRMATION**

The hearing date is set for **August 9, 2017**, at **8:30 A.M.** U.S. Bankruptcy Court, Courtroom One, Second Floor Customs House, 701 Broadway, Nashville, TN 37203.

COMES NOW, THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW YORK, as successor in interest to JPMorgan Chase Bank, N.A., f/k/a Bank One, National Association as Trustee for Centex Home Equity Loan Trust 2002-A, its successors or assigns, (hereinafter referred to as "Movant") and shows the Court that for reasons set out below, Movant objects to the confirmation of the Debtor's Plan;

1.

Movant will timely file a Proof of Claim listing a Total Debt Payoff of approximately \$36,650.16 at a contract rate of 10.500% as to the property located at 6516 LONGVIEW DRIVE, MURFREESBORO, TN 37129. This loan matured on October 1, 2016. Movant asserts that its Proof of Claim should be funded in full during the pendency of the Chapter 13 case and is in agreement with the proposed treatment of the Claim in Debtor's Plan. However the Plan is silent as to taxes and insurance. Movant requests that the Debtor be responsible for securing their own homeowner's insurance and direct payment of property taxes and insurance premiums as and when due. Thus, Movant objects to Confirmation of the Plan in its current form.

WHEREFORE, THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW YORK, as successor in interest to JPMorgan Chase Bank, N.A., f/k/a Bank One, National Association as Trustee for Centex Home Equity Loan Trust 2002-A, its successors or assigns, prays that this Court inquire as to the matters raised herein and deny confirmation of the Debtor's Plan, or enter such orders and require such further inquiry as may appear appropriate to the Court.

Dated: 6/30/17

/s/ Natalie Brown  
Natalie Brown  
TN BPR No. 022452  
Rubin Lublin TN, PLLC  
119 S. Main Street, Suite 500  
Memphis, TN 38103  
(877) 813-0992  
nbrown@rubinlublin.com  
Attorney for Creditor

**CERTIFICATE OF SERVICE**

I, Natalie Brown of Rubin Lublin TN, PLLC certify that on the 30th day of June, 2017, I caused a copy of the Objection to Confirmation to be filed in this proceeding by electronic means and to be served by depositing a copy of the same in the United States Mail in a properly addressed envelope with adequate postage thereon to the said parties as follows:

Howard Wayne Finch  
6516 Longview Drive  
Murfreesboro, TN 37129

Galen Wilson Pierce, Esq.  
The Law Office of Galen W. Pierce  
307 Hickerson Drive  
Murfreesboro, TN 37129

Henry Edward Hildebrand, III  
Office of the Chapter 13 Trustee  
PO BOX 340019  
Nashville, TN 37203

Executed on: 6/30/17  
By: /s/ Natalie Brown  
Natalie Brown  
TN BPR No. 022452  
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